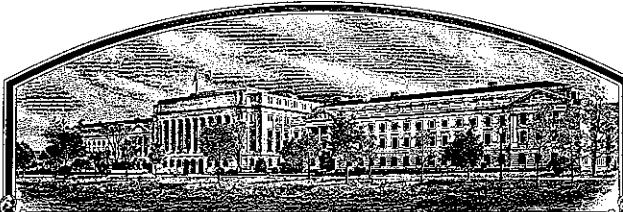


No.



9900323

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

*Monsanto Company*

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED, PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN MAKING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. IN THE UNITED STATES SEED OF THIS VARIETY (1) SHALL BE SOLD BY VARIETY NAME ONLY AS A CERTIFIED SEED AND (2) SHALL CONFORM TO THE NUMBER OF GENERATIONS SPECIFIED BY THE OWNER OF THE VARIETY. (STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

WHEAT, COMMON

'Ontario'



In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this thirty-first day of March, in the year of our Lord two thousand.

Attest:

*Ann Marie L. ...*

Commissioner  
Plant Variety Protection Office  
U. S. D. A.

Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE DIVISION - PLANT VARIETY PROTECTION OFFICE

**APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE**

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the privacy Act of 1974 (5 U.S.C. 552a)

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421) Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) (as it is to appear on the Certificate) <b>AAA 22 May 2000</b> <b>HybriTech U.S., a unit of Monsanto Company</b>		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER <b>W94-137-152</b>	3. VARIETY NAME <b>Ontario</b>
4. ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) <b>5912 N. Meridian Street Wichita, Kansas 67204-1699</b>		5. TELEPHONE (include area code) <b>316-755-1250 7700</b> <b>AAA 22 Mar</b> <b>file AMT 2000</b> <b>316-755-0072</b>	FOR OFFICIAL USE ONLY PVPO NUMBER <b>900323</b>
7. GENUS AND SPECIES NAME <b>Triticum aestivum</b>	8. FAMILY NAME (Botanical) <b>Gramineae</b>	FILING AND EXAMINATION FEE <b>2450</b> DATE <b>6-8-99</b>	
9. CROP KIND NAME (common name) <b>Hard Red Winter Wheat</b>		CERTIFICATION FEE <b>300</b> DATE <b>8/20/99</b>	
10. IF THE APPLICANT NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) (common name) <b>Corporation</b>		11. IF INCORPORATED, GIVE STATE OF INCORPORATION <b>Delaware</b>	
12. DATE OF INCORPORATION <b>1933</b>		13. NAME AND ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS <b>Dr. Blaine Johnson</b> <b>806 N. Second Street</b> <b>PO Box 1320</b> <b>Berthoud, Colorado 80513</b> <b>AND</b> <b>Mr. Robert Bruns</b> <b>806 N. Second Street</b> <b>PO Box 30</b> <b>Berthoud, Colorado 80513</b> <b>970-532-3721</b>	
14. TELEPHONE (include area code) <b>970-532-9840</b>		15. FAX (include area code) <b>970-532-2035</b>	
16. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (follow instructions on reverse)			
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Applicant's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds, or, for tuber propagated varieties verification that tissue culture will be deposited and maintained in a public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to PVPO)			
17. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY, AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input checked="" type="checkbox"/> YES (if "yes", answer items 18 and 19 below) <input type="checkbox"/> NO (if "no", go to item 20)			
18. DOES THE APPLICANT SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		19. IF "YES" TO ITEM 18, WHICH CLASSES OF PRODUCTION BEYOND BREEDERS SEED? <input checked="" type="checkbox"/> FOUNDATION <input checked="" type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> CERTIFIED	
20. HAS THE VARIETY OR A HYBRID PRODUCED FROM THE VARIETY BEEN RELEASED, USED, OFFERED FOR SALE, OR MARKETED IN THE U.S. OR OTHER COUNTRIES? <input type="checkbox"/> YES (IF "YES", give names of countries and dates) <input checked="" type="checkbox"/> NO			
21. The applicant(s) declare that a viable sample of basic seed of the variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned applicant(s) is(are) the owner(s) of this sexually reproduced or tuber plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Applicant(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.			
SIGNATURE OF APPLICANT (Owner(s)) <b>Blaine Johnson</b>		SIGNATURE OF APPLICANT (Owner(s))	
NAME (Please print or type) <b>Dr. Blaine Johnson</b>		NAME (Please print or type)	
CAPACITY OR TITLE <b>Technical Director U.S. Research</b>	DATE <b>25 May 1999</b>	CAPACITY OR TITLE	DATE

## ***Exhibit A.***

### ***Origin and Breeding History of Ontario***

W94-137 was an F3 derived single plant selection from the cross 'Sierra' / WI88-052 [Era / Tobar 66 // Lovrin 11 /3/ Oligoculm /4/ Archer /5/ W81-171 (Mesa Mother-line)]. The cross was made in 1989 and the plant selection based upon plant height, fertility and the absence of leaf rust was made in Berthoud, Colorado in 1992. The resulting F4 plant row was tested in preliminary yield trials in 1993 and advanced on the basis of uniform plant height and the absence of soilborne mosaic virus symptoms and leaf rust. The line was given the experimental designation, W94-137, and was tested as a pure-line in replicated trials in 1994 and 1995. W94-137 was head-rowed in 1995. Twelve head-rows were selected on the basis of phenotypic uniformity for plant height and maturity. Seed from each of the twelve selected head-rows was planted as a progeny plot in 1996. The remaining seed from these twelve head rows was used as the trial seed source for replicated trials in 1996. Two F7 progeny plots were selected for foliar disease resistance, height and maturity and bulked as 'W94-137-152'. This experimental line was subsequently tested in replicated trials in 1997 and 1998 under the designation, 'W94-137-152'. These replicated trials represent a broad geographic area in the Hard Winter Wheat region.

In 1996, 12 progeny rows were planted in Berthoud, Colorado. Two rows with blue-green plant color at boot stage and with similar electrophoretic banding patterns were individually harvested and planted as an initial 0.6 acre Breeders Seed increase in Berthoud, Colorado in 1997. In 1998, a four acre Breeders Seed increase was grown in Vega, Texas. This increase produced 14,020 pounds of Foundation Seed.

Ontario was uniform and stable in 1997 and 1998. Less than 0.8% of the plants were rogued from the Breeders Seed increase in 1996. Approximately 70% of the rogued variant plants were taller height wheat plants (8 to 15 cm), 5% were awnletted wheat plants, and 15% were green plant color at boot stage. Up to 1% variant plants may be encountered in subsequent generations.

***Exhibit B.***  
***Statement of Distinctness***

Ontario is most similar to the hard red winter wheat 'Hondo'. However, it can be easily distinguished by the following morphological characteristics:

- Ontario has a green plant color at boot stage R.H.S. Color Chart No. #137A (Berthoud, Colorado 1996, 19967 and 1998). Hondo has a blue-green plant color at boot stage R.H.S. Color Chart No. 122B (Berthoud, Colorado 1996, 19967 and 1998).
- Ontario has a square shoulder shape on the glume (Berthoud, CO 1996, 1997 and 1998). Hondo has an oblique shoulder shape on the glume (Berthoud, Colorado 1996, 19967 and 1998).
- Ontario has a wide glume width ((Berthoud, Colorado 1996, 19967 and 1998). Hondo has a medium glume width ((Berthoud, Colorado 1996, 19967 and 1998).

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
SCIENCE DIVISION  
BELTSVILLE, MARYLAND 20705

EXHIBIT C 9900323  
(Wheat)

OBJECTIVE DESCRIPTION OF VARIETY  
WHEAT (*Triticum* Spp.)

NAME OF APPLICANT(S) <b>HybriTech U.S., a unit of Monsanto Company</b>	FOR OFFICIAL USE ONLY
ADDRESS (Street and No. or R.F.D. No., City, State, and Zip Code) <b>5912 N. Meridian Street Wichita, Kansas 67204-1699</b>	PVPO NUMBER
	NAME OR EXPERIMENTAL DESIGNATION Ontario

Place the appropriate number that describes the varietal character of this variety in the boxes below.

Place a zero in the first box when number is either 99 or less or 9 or less respectively. Data for quantitative plant characters should be based on a minimum of 100 plants. Comparative data should be determined from varieties entered in the same trial. Royal Horticultural Society or any recognized standard may be used to determine plant colors; designate system used.

Please answer all questions for your variety; lack of response may delay progress of your application.

1. KIND:

1=Common 2=Durum 3=Club 4=Other (specify) \_\_\_\_\_

2. VERNALIZATION:

1=Spring 2=Winter 3=Other (specify) \_\_\_\_\_

3. COLEOPTILE ANTHOCYANIN:

1=Absent 2=Present

4. JUVENILE PLANT GROWTH:

1=Prostrate 2=Semi-erect 3=Erect

5. PLANT COLOR (boot stage):

1 = Yellow-Green 2 = Green 3 = Blue-Green

6. FLAG LEAF (boot stage):

1 = Erect 2 = Recurved

1 = Not Twisted 2 = Twisted

7. EAR EMERGENCE:

Number of Days Earlier Than \_\_\_\_\_ \*

Number of Days Later Than **Tomahawk** \*

8. ANTHR COLOR:

1 = YELLOW 2 = PURPLE

9. PLANT HEIGHT (from soil to top of head, excluding awns):

cm Taller Than \_\_\_\_\_ \*

cm Shorter Than **Tomahawk** \*

\* Relative to a PVPO-Approved Commercial Variety Grown in the Same Trial

## 10. STEM:

## A. ANTHOCYANIN

**1** 1= Absent 2=Present

## B. WAXY BLOOM

**2** 1=Absent 2=Present

C. HAIRINESS (*last internode of rachis*)

**2** 1=Absent 2=Present

D. INTERNODE (*specify number*)

**1** 1=Hollow 2=Semi-solid 3=Solid

## E. PEDUNCLE

**1** 1=Erect 2=Recurved

**3 0** cm Length

11. HEAD (*at Maturity*):

## A. DENSITY

**2** 1=Lax 2=Middense 3= Dense

## B. SHAPE

**1** 1 = Tapering 2= Strap 3 = Clavate 4 = Other (*specify*)

## C. CURVATURE

**2** 1 = Erect 2 = Inclined 3 = Recurved

## D. AWNEDNESS

**4** 1 = Awnless 2 = Apically Awnletted 3 = Awnletted 4 = Awned

12. GLUMES (*at Maturity*):

## A. COLOR

**1** 1 = White 2 = Tan 3 = Other (*specify*)

## B. SHOULDER

**4** 1 = Wanting 2 = Oblique 3 = Rounded 4 = Square 5 = Elevated 6 = Apiculate

## C. BEAK

**3** 1 = Obtuse 2 = Acute 3 =Acuminate

## D. LENGTH

**2** 1 = Short (ca. 7mm) 2 = Medium (ca. 8mm) 3 = Long (ca. 9mm)

## E. WIDTH

**3** 1 = Narrow (ca. 3mm) 2 = Medium (ca. 3.5mm) 3 = Wide (ca. 4mm)

## 13. SEED:

## A. SHAPE

**1** 1 = Ovate 2 = Oval 3 = Elliptical

## B. CHEEK

**1** 1=Rounded 2=Angular

## C. BRUSH

**2** 1=Short 2=Medium 3=Long

**1** 1 = Not Collared 2 = Collared

## D. CREASE

**1** 1 = Width 60% or less of Kernel  
2 = Width 80% or less of Kernel  
3 = Width Nearly as Wide as Kernel

**1** 1 = Depth 20% or less of Kernel  
2 = Depth 35% or less of Kernel  
3 = Depth 50% or less of Kernel

## 13. SEED: (continued)

## E. COLOR

☒ 3 1 = White 2 = Amber 3 = Red 4 = Other (specify) \_\_\_\_\_

## F. TEXTURE

☒ 1 1=Hard 2=Soft

## G. PHENOL REACTION (see instructions):

☒ 0 1 = Ivory 2 = Fawn 3 = Light Brown 4 = Dark Brown 5 = Black

## 14. DISEASE: (0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE INDICATE THE SPECIFIC RACE OR STRAIN TESTED

<input checked="" type="checkbox"/> 2	Stern Rust ( <i>Puccinia graminis</i> f. sp. <i>tritici</i> ) Field races	<input checked="" type="checkbox"/> 2	Leaf Rust ( <i>Puccinia recondita</i> f. sp. <i>tritici</i> ) Field races
<input checked="" type="checkbox"/> 0	Stripe Rust ( <i>Puccinia striiformis</i> )	<input checked="" type="checkbox"/> 0	Loose Smut ( <i>Ustilago tritici</i> )
<input checked="" type="checkbox"/> 0	Tan Spot ( <i>Pyrenophora tritici-repentis</i> )	<input checked="" type="checkbox"/> 0	Flag Smut ( <i>Urocystis agropyri</i> )
<input checked="" type="checkbox"/> 0	Halo Spot ( <i>Selenophoma donacis</i> )	<input checked="" type="checkbox"/> 0	Common Bunt ( <i>Tilletia tritici</i> or <i>T. laevis</i> )
<input checked="" type="checkbox"/> 0	<i>Septoria nodorum</i> (Glume Blotch)	<input checked="" type="checkbox"/> 0	Dwarf Bunt ( <i>Tilletia controversa</i> )
<input checked="" type="checkbox"/> 0	<i>Septoria avenae</i> (Speckled Leaf Disease)	<input checked="" type="checkbox"/> 0	Karnal Bunt ( <i>Tilletia indica</i> )
<input checked="" type="checkbox"/> 0	<i>Septoria tritici</i> (Speckled Leaf Blotch) Field races	<input checked="" type="checkbox"/> 3	Powdery Mildew ( <i>Erysiphe graminis</i> f. sp. <i>tritici</i> ) Field races
<input checked="" type="checkbox"/> 0	Scab ( <i>Fusarium</i> spp.)	<input checked="" type="checkbox"/> 0	Snow Molds
<input checked="" type="checkbox"/> 0	Black Point (Kernel Smudge)	<input checked="" type="checkbox"/> 0	Common Root Rot ( <i>Fusarium</i> , <i>Cochliobolus</i> and <i>Bipolaris</i> spp.)
<input checked="" type="checkbox"/> 0	Barley Yellow Dwarf Virus (BYDV)	<input checked="" type="checkbox"/> 0	Rhizoctonia Root Rot ( <i>Rhizoctonia solani</i> )
<input checked="" type="checkbox"/> 2	Soilborne Mosaic Virus (SBMV) Field races	<input checked="" type="checkbox"/> 0	Black Chaff ( <i>Xanthomonas campestris</i> pv. <i>translucens</i> )
<input checked="" type="checkbox"/> 0	Wheat Yellow (Spindle Streak) Mosaic Virus Field races	<input checked="" type="checkbox"/> 0	Bacterial Leaf Blight ( <i>Pseudomonas syringae</i> pv. <i>syringae</i> )
<input checked="" type="checkbox"/> 0	Wheat Streak Mosaic Virus (WSMV) Field races	<input type="checkbox"/>	Other (specify) _____
<input type="checkbox"/>	Other (specify) _____	<input type="checkbox"/>	Other (specify) _____
<input type="checkbox"/>	Other (specify) _____	<input type="checkbox"/>	Other (specify) _____
<input type="checkbox"/>	Other (specify) _____	<input type="checkbox"/>	Other (specify) _____

9900323

15. INSECT: (0=Not Tested; 1=Susceptible; 2=Resistant; 3=Intermediate; 4=Tolerant)

PLEASE SPECIFY BIOTYPE (where needed)

<input type="checkbox"/> 0	Hessian Fly ( <i>Mayetiola destructor</i> )	<input type="checkbox"/>	Other (specify)
<input type="checkbox"/> 0	Stem Sawfly ( <i>Cephus</i> spp.)	<input type="checkbox"/>	Other (specify)
<input type="checkbox"/> 0	Cereal Leaf Beetle ( <i>Oulema melanopa</i> )	<input type="checkbox"/>	Other (specify)
<input type="checkbox"/> 0	Russian Aphid ( <i>Diuraphis noxia</i> )	<input type="checkbox"/>	Other (specify)
<input type="checkbox"/> 0	Greenbug ( <i>Schizaphis graminum</i> )	<input type="checkbox"/>	Other (specify)
<input type="checkbox"/> 0	Aphids		

16. ADDITIONAL INFORMATION ON ANY ITEM ABOVE, OR GENERAL COMMENTS:

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***Exhibit D.***  
***Additional Description of Ontario***

Ontario is a hard red winter wheat bred and developed by Agripro Seeds, Inc. Ontario is a medium height semidwarf wheat with medium maturity. Milling and baking characteristics are average.

Juvenile growth habit is semi-erect. Seedling anthocyanin is present. Plant color at boot stage is green. Auricle anthocyanin and auricle hairs are present. Flag leaf at boot stage is erect and twisted. Waxy bloom is present on the head, stem and flag leaf sheath. Anther color is yellow. Head shape is tapering and awned. Glumes are glabrous, wide in width and medium in length with square shoulders and acuminate beaks. Seed shape is ovate. Brush hairs are medium in size. Seed crease depth is shallow and width is narrow. Seed cheeks are rounded.

Ontario is adapted to Colorado, Nebraska, Kansas and the continuous crop areas of Texas and Oklahoma.

Var./Line	Data Summary															
	YIELD		T.WT.		YIELD		T.WT.		Plant							
	1994-96 (18 loc)	(BU/A)	1994-96 (11 loc)	(LB/BU)	1997-98 (13 loc)	(BU/A)	1997-98 (11 loc)	(LB/BU)	Heading Julian Days	Maturity	Height (cm)	Leaf Rust Severity	Stem Rust Severity	Reaction	SBMV	Powdery Mildew
W94-137	65.4		60.5		-		-									
TOMAHAWK	60.1		57.2		-		-									
W94-137-152	-		-		73.5		59.9		152.8	5	94	2	2	2	3	3
TOMAHAWK	-		-		70.4		60.2		149.5	4	97	2	2	3	3	3

**Data generated in 1994:**

Colorado - Yield, Test Wt., Heading, Pollination, Maturity, Height,  
 Leaf Rust (greenhouse screening), Powdery Mildew, Hessian fly,  
 Coleoptile length, Lodge Severity  
 Salina, KS - Yield, Test Wt.  
 Goodland, KS - Yield, Test Wt., Lodging, Wheat Streak  
 Nardin, OK - Yield, Test Wt., Leaf Rust, Septoria, Tan spot  
 Septoria Nodorum  
 Dumas, TX - Yield, Test Wt.  
 Hays, KS - WSMV (Visual screening).

**Data generated in 1995:**

Colorado - Yield, Test Wt., Heading, Leaf Rust, Lodge Severity,  
 Powdery mildew, Hessian fly, Aluminum tolerance,  
 Coleoptile length  
 Imperial, NE - Yield, Test Wt.  
 Goodland, KS - Yield, Test Wt., Lodge Severity  
 Beloit, KS - Yield, Test Wt., Tan Spot  
 Salina, KS - Yield, Test Wt., Heading, Septoria, Height  
 Everest, KS - Spindle Streak, Soilborne  
 Saint John, KS - Spindle Streak

**Data generated in 1996:**

Colorado - Yield, Test Wt., Heading, Pollination, Maturity, Height,  
 Leaf Rust (greenhouse screening), Powdery Mildew, Hessian fly,  
 Coleoptile length, Aluminum Tolerance (Lab screening)  
 Imperial, NE - Yield, Test Wt., Heading, Height, Lodging  
 Salina, Everest, KS - Yield, Test Wt. Winterkill, Maturity, Fusarium Head Scab  
 Goodland, KS - Yield, Test Wt., Maturity  
 Goodland, KS (irrigated) - Yield, Test Wt., Lodging, Septoria, Wheat Streak  
 Garden City, KS - Winterkill, Maturity  
 Nardin, OK - Yield, Test Wt., Maturity  
 Dumas, TX - Yield, Test Wt.  
 Hays, KS - WSMV (Visual screening).

**Data generated in 1997:**

Colorado - Yield, Test Wt., Heading, Height, Leaf Rust, Lodge Severity,  
 Powdery mildew, Hessian fly, Aluminum tolerance,  
 Coleoptile length  
 Goodland, KS - Yield, Test Wt.  
 Salina, KS - Yield, Test Wt., Heading, Maturity, Leaf Rust, Septoria  
 Enid, OK - Aluminum Tolerance  
 Nardin, OK - Heading, Maturity, Leaf Rust, Septoria  
 Vernon, TX - Leaf Rust  
 Paxton, NE - Winterhardiness  
 Geneva, NE - Leaf Rust, Green Leaf Retention

**Data generated in 1998:**

Colorado - Yield, Test Wt., Heading, Height, Leaf Rust, Lodge Severity,  
 Powdery mildew, Coleoptile length  
 Goodland, KS - Yield, Test Wt.  
 Quinter, KS - Yield, Test Wt.  
 Hugoton, KS - Yield, Test Wt.  
 Salina, KS - Yield, Test Wt., Heading, Maturity, Leaf Rust, Septoria  
 Beloit, KS - Yield, Test Wt., Maturity, Height, Lodge Severity, Leaf Rust, Septoria  
 Haven, KS - Yield, Test Wt., Heading, Maturity, Leaf Rust, Powdery Mildew  
 Enid, OK - Aluminum Tolerance  
 Nardin, OK - Yield, Test Wt., Heading, Maturity, Leaf Rust, Tan Spot  
 Paxton, NE - Yield, Test Wt., Winterhardiness

Note: Rankings in this table represent the average for a given trait on a 1-9 scale where 1 and 9 represent the extremes for the respective traits.

Trait	1	9
Heading	early	late
Maturity	early	late
Coleoptile	long	short
Height	short	tall
Straw Strength	strong	weak
All disease & insect ratings	resistant	susceptible



***Exhibit E.***  
***Statement of the Basis of Applicant's Ownership***

The variety for which Plant Variety Protection is hereby sought was developed by Dr. John Moffatt, an employee of Agripro Seeds, Inc. By agreement between employees and Agripro Seeds, Inc., all rights to any invention, discovery, or development made by the employee while employed by Agripro Seeds, Inc., were assigned to Agripro Seeds, Inc., with no rights of any kind pertaining to 'Ontario' being retained by the employees.

By contractual agreement the variety 'Ontario' was purchased from Agripro Seeds, Inc. in June of 1996 and is currently owned by ~~HybriTech Seed International, Inc.~~ *Monsanto Company.*

MAH  
3-22-2000

U.S. DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

**EXHIBIT E**  
**STATEMENT OF THE BASIS OF OWNERSHIP**

1. NAME OF APPLICANT(S)

2. TEMPORARY DESIGNATION  
OR EXPERIMENTAL NUMBER

3. VARIETY NAME

MAH  
3-22-2000 HybriTech U.S., a unit of  
Monsanto Company

W94-137-152

ONTARIO

4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country)

5. TELEPHONE (include area code)

6. FAX (include area code)

5912 N. Meridan Street  
Wichita, Kansas 67204-1699

316-755-1250

316-755-0072

7. PVPO NUMBER

9900323

8. Does the applicant own all rights to the variety? Mark an "X" in appropriate block. If no, please explain.

☒ YES☐ NO

9. Is the applicant (individual or company) a U.S. national or U.S. based company?

☒ YES☐ NO

If no, give name of country

10. Is the applicant the original owner?

☐ YES☒ NO

If no, please answer one of the following:

a. If original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. national(s)?

☐ YES☐ NO

If no, give name of country

b. If original rights to variety were owned by a company(ies), is(are) the original owner(s) a U.S. based company?

☒ YES☐ NO

If no, give name of country

11. Additional explanation on ownership (if needed, use reverse for extra space):

\*Please see following page.

**PLEASE NOTE:**

Plant variety protection can be afforded only to owners (not licensees) who meet one of the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definition.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.

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